



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

MAY 16 2014

REPLY TO THE ATTENTION OF:

CERTIFIED MAIL NO.: 7009 1680 0000 7677 7605
RETURN RECEIPT REQUESTED

Ms. Gina Ayersman
Environmental Specialist
Chrysler Group, LLC
Belvidere Assembly Plant
3000 West Chrysler Drive
Belvidere, Illinois 61008-6094

Re: Notice of Violation
EPA I.D. No.: ILD 001 874 320

Dear Ms. Ayersman:

On March 10, 2014 a representative of the U.S. Environmental Protection Agency inspected Chrysler Group, LLC ("Chrysler" or the "facility") located in Belvidere, Illinois. The purpose of the inspection was to evaluate Chrysler's compliance with certain provisions of the Resource Conservation and Recovery Act (RCRA); specifically, those regulations related to the generation, treatment and storage of hazardous waste. We have enclosed a copy of the inspection report for your reference.

Based on EPA's March 10, 2014, inspection that included personal observations made by the inspector, and a subsequent review of records and information provided by Chrysler's personnel, EPA finds that Chrysler is engaged in the management of hazardous waste without a hazardous waste permit, and is in violation of the requirements of Section 35 of the Illinois Administrative Code (35 IAC) and Title 40 of the United States Code of Federal Regulations (40 CFR). To be eligible for the exemption from the requirement to obtain a hazardous waste treatment, storage or disposal permit, Chrysler must be in compliance with the conditions of 35 IAC § 722.134(a) [40 CFR § 262.34(a)].

Specifically, we find that Chrysler is in noncompliance with the following conditions for a hazardous waste storage permit exemption, and in violation of the following requirements:

1. To avoid the need for a hazardous waste storage permit, a large quantity generator of hazardous waste must obtain and keep on file at the facility written statements by those persons required to certify the design of the tank system and supervise the installation of the tank system in accordance with the requirements of 35 IAC § 725.292 (b) through (f) [40 CFR § 265.192(b) through (f)] to attest that the tank system was properly designed and installed. See 35 IAC §§ 722.134(a) and 725.292(g) [40 CFR §§ 262.34 (a) and 265.192(g)].

At the time of the inspection, Chrysler could not provide a written statement by those persons required to certify the design of the tank system for AT-6 and AT-7 and attest that the tank system was properly designed and installed.

2. A large quantity generator of hazardous waste which accumulates hazardous waste on-site for 90 days or less, and which does not meet the conditions for a hazardous waste permit exemption of 35 IAC § 722.134(a) [40 CFR § 262.34 (a)], is an operator of a hazardous waste storage facility, and is required to obtain an Illinois hazardous waste storage permit. See 35 IAC §§ 702 and 703 [40 CFR § 270.1 (c), 270.10 (a) and (d)].

By failing to comply with the condition for a permit exemption, above, Chrysler became an operator of a hazardous waste storage facility. Chrysler failed to apply for and obtain a hazardous waste storage permit. Chrysler's failure to apply for and obtain a hazardous waste storage permit violated the permitting requirements of 35 IAC §§ 702 and 703 [40 CFR § 270.1 (c), 270.10 (a) and (d)].

On March 13 and April 1, 2014, Chrysler sent to EPA copies of written statements by those persons required to certify the design of the tank system for AT-6 and AT-7 attesting that the tank system was properly designed and installed. Based on that information, Chrysler has established compliance with the requirements of 35 IAC §§ 722.134(a) and 725.292(g) [40 CFR §§ 262.34(a)(4) and 265.192(g)], and is no longer in violation of the permitting requirements of 35 IAC §§ 702 and 703 [40 CFR § 270.1 (c), 270.10 (a) and (d)].

3. Containers of used oil must be labeled or marked clearly with the words, "Used Oil." See 35 IAC § 739.122(c) (1) [40 CFR § 279.22 (c)]. At the time of the inspection, a secondary containment container used for used oil storage was not marked with the words "Used Oil."

During the inspection, Chrysler personnel marked the secondary containment container used for used oil storage with the words "Used Oil." Based on that information, Chrysler has established compliance with the marking requirement of 35 IAC § 739.122(c) (1) [40 CFR § 279.22 (c)].

This letter is to inform you that EPA does not plan additional enforcement action at this time. This letter does not limit the applicability of the requirements evaluated, other RCRA regulations, or regulations under other statutes. EPA appreciates Chrysler's cooperation.

If you have any questions or concerns regarding this letter, please contact Diane Sharrow, of my staff, at (312) 886-6199.

Sincerely,

for Sherry A. Kanke
for Gary J. Victorine, Chief
RCRA Branch

Enclosure

cc: Todd Marvel, Illinois EPA (Todd.Marvel@illinois.gov)

